THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 21140 OF 2006

Between :

Bodala Sakkubai, r/o Green Hills Colony,
L.B.Nagar, Hyderabad, and another

… Petitioners

And :

Assistant Commissioner of Police, Saroornagar,
RR District and others.

… Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 21140 OF 2006

ORAL ORDER :

Every single allegation of the petitioners as to unlawful interference by the respondents 2 to 4 with the petitioners' property in Plot No. A/23 admeasuring 364 Sq.Yds. of Ramakrishnapuram, Saroornagar Mandal, RR District, has been clearly and categorically denied by the 4th respondent in the counter affidavit dated 30.10.2006. The petitioners do not rebut these assertions of the respondents denying the allegations.

Sri Subba Reddy, learned Senior Counsel appearing on behalf of the learned counsel for the petitioners, would submit that this court should advise the respondents to act within the confines of law and to follow the law.

It is not the function of this court under Art.226 of the Constitution to exhort the Executive to follow the law. It is a presumed

obligation of all citizens to follow the law. Persons in public office are not an exception. As and when any allegation of a particular delinquency on the part of any member of the Executive is brought to the notice of this court and a delinquency is established according to the known principles of evidence, this court would pronounce upon the existence or establishment of such delinquency and grant appropriate relief or issue appropriate directives to deal with the delinquency. General exhortations however are not the province of this court.

In the above circumstances no further proceedings are warranted. The writ petition is accordingly dismissed. No order as to costs.

Dt: 18.11.2006 ----------

PVSN Justice G. Raghuram